

UNITED STATES DISTRICT COURT

for

NORTHERN DISTRICT OF GEORGIA

FILED IN CLERK'S OFFICE
U.S.D.C. - Atlanta

MAY - 7 2014

JAMES M. DAVEN, Clerk
By: *[Signature]*
Deputy Clerk

**Violation Report and Petition For Summons
for Offender Under Supervision**

Name of Offender: **Timothy Moses**

Docket No. **1:04-CR-508-01-CAP**

Name of Sentencing Judicial Officer: **Honorable Charles A. Pannell, Jr.**

Date of Original Sentence: **February 17, 2006**

Original Offense: **Securities Fraud/18 U.S.C. §§1348(2) and 1621(1)**

Original Sentence: **78 months incarceration followed by 5 years supervised release with special conditions to participate in the 500 hour drug/alcohol program while in the custody of the Bureau of Prisons (completed), firearm restrictions, search, financial disclosure, no new credit, drug testing and treatment, 100 hours of community service (completed), and pay \$1.65 million in restitution at a rate of \$300 plus 25% of the offender's monthly income that exceeds \$2,000.**

Type of Supervision: **Supervised Release**

Date Supervision Commenced: **January 3, 2011**

Assistant U.S. Attorney: **To Be Assigned**

Defense Attorney: **G. Michael Smith**

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS
FOLLOWS:**

The offender has violated the conditions of supervision as follows:

Moses has failed to follow the instructions of the probation officer by refusing to disclose his financial information as ordered by the Court. He has not provided supporting documents for deposits made to his bank account. On July 22, 2013, Moses was instructed to obtain his own bank account where his deposits and withdrawals could be monitored, which he failed to do.

In July 2012, Moses opened new lines of credit without the approval of his probation officer. Moses denied opening the credit and was instructed to provide proof that he disputed the credit. Further, it took him six months to submit a copy of the letter he stated he would mail to dispute the new line of credit his son allegedly opened. To date, there is no evidence on his credit report of Moses disputing these lines of credit or closing the account.

Moses failed to answer truthfully all inquiries by the probation officer by refusing to answer direct

questions regarding his finances.

Moses has failed to provide verification of his employment and income with Ambassador Limousine Services as instructed. He has only provided copies of two paychecks, both in the amount of \$300, though he claimed on his written monthly report form to have made significantly more.

On February 17, 2014, Moses accepted employment as a consultant with Physicians Access Care after he was denied permission by the probation officer to be employed in any capacity with this company. He did not notify the probation officer of his employment nor did he provide proof of his employment.

In addition, Moses failed to be truthful on his written monthly report form by not disclosing his income from Physicians Access Care for the months of February and March 2014.

Moses has failed to provide proof that he has filed income taxes while under supervision.

PREVIOUS VIOLATION(S) REPORTED TO THE COURT:

On July 25, 2012, a violation report was submitted to the Court for failure to pay restitution. Your Honor agreed with the recommendation to monitor Moses closely, and no further action was taken.

On October 1, 2012, a violation report was submitted to the Court for failure to pay restitution. Moses was given a verbal reprimand, and no further action was taken. Your Honor agreed with the probation officer's recommendation.

On January 16, 2013, a violation report was submitted to the Court for failure to pay restitution. Your Honor modified Moses's restitution payments to \$100 per month. He has complied with that order.

PETITIONING THE COURT TO:

Issue a Summons for Timothy Moses directing him to appear before the Court at Atlanta, Georgia, on the 19th day of May, 2014, at 2:00 p.m., to show cause why Supervised Release heretofore entered should not be revoked.

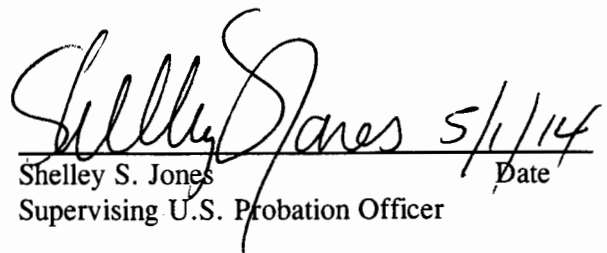
I declare under penalty of perjury that the foregoing is true and correct.



Shannon N. Brewer
U. S. Probation Officer

5/1/14

Date



Shelley S. Jones
Supervising U.S. Probation Officer


Date

THE COURT ORDERS:

☒ The issuance of a Summons.

☐ No Action

☐ Other



Honorable Charles A. Pannell, Jr.
Senior U. S. District Court Judge

5 May 2014
Date